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Before the  
Federal Communications Commission  
Washington, D.C. 20554

OCT 14 10 27 AM '05

In the Matter of

Amendment of Section 73.202(b)  
Table of Allotments,  
FM Broadcast Stations.  
(Cameron and Hackberry, Louisiana)

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MB Docket No. 05-138  
RM-11162  
RM-11266\*

REPORT AND ORDER  
(Proceeding Terminated)

Adopted: October 12, 2005

Released: October 14, 2005

By the Assistant Chief, Audio Division, Media Bureau:

1. The Audio Division has before it a *Notice of Proposed Rule Making*<sup>1</sup> issued in response to a petition for rule making filed by Charles Crawford (Petitioner<sup>2</sup>), requesting the allotment of Channel 296C3 at Cameron, Louisiana. Petitioner filed comments stating his continuing interest in pursuing the allotment, and his intention to apply for a construction permit. Pittman Broadcasting Services, LLC ("Pittman") timely filed a counterproposal proposing to allot Channel 296A at Hackberry, Louisiana.<sup>2</sup> No other pleadings were received.

2. Petitioner proposes to allot Channel 296C3 at Cameron, Louisiana, with a 2000 U.S. Census population of 1,965 persons, as a first local service. Pittman's counterproposal proposes to allot Channel 296A at Hackberry, Louisiana, with a 2000 U.S. Census population of 1,699 persons, as a first local service.

3. Both the proposal and counterproposal involve priority three (first local service).<sup>3</sup> Where, as in this instance, listeners in each community receive five or more receptive services,<sup>4</sup> the allotment is awarded to the community with the larger population.<sup>5</sup> Cameron has 266 more persons than Hackberry. Thus, we believe the public interest would be served by allotting Channel 296C3 at Cameron, Louisiana, as a first local service. The proposed reference coordinates are 29-47-48 North Latitude and

<sup>1</sup> *Arapaho, Oklahoma, et al.*, 20 FCC Rcd 6228 (MB 2005) ("Notice").

<sup>2</sup> The counterproposal was placed on Public Notice on July 29, 2005, Report No. 2723, (RM-11266\*).

<sup>3</sup> See *Revision of FM Assignment Policies and Procedures*, 90 FCC 2d 88, 92 n.8 (1982). See also *Blanchard, Louisiana and Stephens, Arkansas*, 10 FCC Rcd 9828 (1995).

<sup>4</sup> Both Cameron and Hackberry are well-served by at least five full-time aural services. See *LaGrange and Rollingwood, Mississippi*, 10 FCC Rcd 3337 (1995). See also *Family Broadcasting Group*, 53 RR 2d 662 (Rev. Bd. 1983) rev. denied FCC 83-559 (Comm. Nov. 29, 1983) (The Commission considers areas which receive five or more services to be abundantly served.)

<sup>5</sup> See e.g. *Rose Hill, North Carolina*, 15 FCC Rcd 10739 (MMB 2000) (where competing proposals would provide local service and receive abundant reception services, population difference of 370 persons was deciding factor); *Blanchard, Louisiana and Stephens, Arkansas*, 10 FCC Rcd 9828 (1995) (decision based on slight population difference of 38 persons); *Bostwick and Good Hope, Georgia*, 6 FCC Rcd 5796 (MMB 1991) (decision based on population difference of 120 persons).

93-19-30 West Longitude consistent with the Commission's minimum distance separation requirements.<sup>6</sup> The Commission will send a copy of this Report and Order in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, see 5 U.S.C. Section 801(a)(1)(A).

4. Accordingly, pursuant to the authority found in 47 U.S.C. Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) and 47 C.F.R. Sections 0.61, 0.204(b) and 0.283, IT IS ORDERED, That effective, November 28, 2005, the FM Table of Allotments, 47 C.F.R. Section 73.202(b), IS AMENDED for the community listed below, as follows:

<u>Community</u>	<u>Channel No.</u>
Cameron, Louisiana	296C3

5. A filing window period for Channel 296C3 for Cameron, Louisiana will not be opened at this time. Instead, the issue of opening this allotment for auction will be addressed by the Commission in a subsequent order.

6. IT IS FURTHER ORDERED, That the petition for rule making filed by Pittman Broadcasting Services, LLC IS DISMISSED.

7. IT IS FURTHER ORDERED, That the aforementioned proceeding IS TERMINATED.

8. For further information concerning this proceeding, contact Helen McLean, Media Bureau, (202) 418-2738.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos  
Assistant Chief  
Audio Division  
Media Bureau

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<sup>6</sup> 47 C.F.R. § 73.207.